

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

FARRELL CROSS,)	
)	
Petitioner,)	
)	
v.)	No. 4:18-cv-1135-PLC
)	
EILEEN RAMEY,)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter is before the Court on petitioner Farrell Cross’s “Motion to Recuse all Judges of the United States District Court Request Judge From Another State.” (Docket No. 3). Petitioner states that “former United States Attorney STEVENS” used this Court, the federal grand jury, and the power of this Court to frame him.” *Id.* at 1 (emphasis in original). Petitioner asserts numerous claims of wrongdoing on the part of Stevens, and claims that Stevens’s conduct has made it impossible for any judge in the Eastern District of Missouri to be fair.

A judge shall disqualify herself “in any proceeding in which [her] impartiality might reasonably be questioned.” 28 U.S.C. § 455(a). An objective standard of reasonableness is applied in determining whether recusal is required. *United States v. Martinez*, 446 F.3d 878, 883 (8th Cir. 2006); *Fletcher v. Conoco Pipe Line Co.*, 323 F.3d 661, 664 (8th Cir. 2003). Disqualification is required if a reasonable person with knowledge of the relevant facts of the case would question the judge’s impartiality. *Fletcher*, 323 F.3d at 664. A judge is presumed to be impartial, and a party seeking recusal bears the substantial burden of proving otherwise. *Id.*

Neither petitioner’s statements about Stevens, nor his speculation about the effect of Stevens’s alleged misconduct, provide a basis to question the impartiality of the undersigned or

any other judge of this Court. Petitioner presents no facts tending to establish bias or partiality, or any other facts establishing any other disqualifying circumstance. Petitioner therefore fails to meet the substantial burden required to overcome the presumption of impartiality.

Accordingly,

IT IS HEREBY ORDERED that petitioner Farrell Cross's "Motion to Recuse all Judges of the United States District Court Request Judge From Another State" (Docket No. 3) is **DENIED**.



PATRICIA L. COHEN
UNITED STATES MAGISTRATE JUDGE

Dated this 17th day of July, 2018